



CALIFORNIA STATE PUBLIC WORKS BOARD

EDMUND G. BROWN JR. • GOVERNOR

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AGENDA WITH ANALYSIS STATE PUBLIC WORKS BOARD

Friday, January 12, 2018 at 10:00 a.m. in
Room 113, State Capitol, Sacramento, California

I.	Roll Call		
II.	Minutes	Page	2
III.	Consent Items	Page	3
IV.	Action Items	Page	18
V.	Other Business	Page	26
VI.	Reportables	Page	26

Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the Public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the Internet at: <http://www.spwb.ca.gov>.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Patrice Coleman at (916) 445-9694 or e-mail to patrice.coleman@dof.ca.gov, five days prior to the meeting.

MINUTES

Consider approving the minutes from the December 8, 2017 Public Works Board Meeting.

Staff has reviewed the minutes from the December 8, 2017 Public Works Board Meeting and recommends approval of those meeting minutes.

Staff Recommendation: Approve minutes from the December 8, 2017 Public Works Board Meeting.

CONSENT ITEM

CONSENT ITEM—1

JUDICIAL COUNCIL OF CALIFORNIA (0250)
GEORGE E. McDONALD HALL OF JUSTICE
ALAMEDA COUNTY

Authority: Trial Court Facilities Act of 2002, Chapter 1082, Statutes of 2002, commencing with Section 70301 of the Government Code, as amended

Consider accepting real property through a transfer of title

CONSENT ITEM

STAFF ANALYSIS ITEM—1

Judicial Council of California
George E. McDonald Hall of Justice
Alameda County

Action Requested

If approved, the requested action will authorize the acceptance of real property through a transfer of title.

Scope Description

This project is within scope. The requested action would authorize the acceptance of a transfer of title of the George McDonald Hall of Justice (Court Facility) pursuant to that certain First Amendment to Transfer Agreement between the Judicial Council of California (Council) and the County of Alameda (County) for the Transfer of Title to Court Facility, dated July 26, 2011 ("Transfer Agreement").

The Court Facility is located at 2233 Shoreline Drive, Alameda, California, and consists of approximately 1.38 acres of property improved with a two-story building, basement, on-site parking area and associated landscaping. This will be a no-cost transfer of title; the Council has been responsible for the funding and operation of the Court Facility.

The County and Council terminated a Joint Occupancy Agreement in July 2011. The County no longer has any occupancy or space in the Court Facility.

The County approved the Transfer Agreement to transfer title and responsibility of the Court Facility to the state on July 26, 2011, with retention of its equity in the building, and right to return, and authorized the Chairman of the County Board of Supervisors to execute the Transfer Agreement, Grant Deed and any other documents necessary for the transfer of responsibility and title to the Court Facility to the state.

The Transfer Agreement requires that delivery of title to the property be free and clear of any mortgages or liens. Concurrently with the transfer of title to the Court Facility, the Council will purchase an owner's policy of title insurance for the Court Facility from the title company.

The County has agreed to indemnify the state against any known conditions that existed in, on, or under the real property during the period of their ownership.

The County has agreed to indemnify the Council for any liability imposed on the Council pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. Sec. 9601 et seq.), or related provisions for conditions at the time of transfer whether known or not known that existed in, on, or under the real property.

This acquisition meets the priority set forth in Government Code Section 65041.1(a) because it promotes continued use of an existing structure located in an urban-infill, already developed area served by existing utilities, public transportation, streets, and is in close proximity to the populations served.

In accordance with the Trial Court Facilities Act of 2002, the Transfer Agreement includes the same amount of parking (63 spaces) that served the Court Facility in October 2001.

The County and Council terminated their Joint Occupancy Agreement in July 2011. The Council is the sole tenant and has responsibility for all future maintenance.

Funding and Cost Verification

This project is within cost. Pursuant to Section 4.1 of the Transfer Agreement, the county shall at all times retain its 12 percent equity in the property and in the event the property is sold, Council will pay the county for its equity at 12 percent of a fair market appraised value. The only costs associated with acceptance of this acquisition are the staff costs to process the acceptance.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on April 27, 2017, and the 35-day statute of limitations period expired without challenge.

Project Schedule

The anticipated close of escrow is January 2018.

Condition of Property

Phase 1 Environmental Site Assessment (ESA)—A Phase I ESA report was completed in June 2017 that included an evaluation of significant environmental, health, and safety conditions impacting the interior and exterior of the Court Facility. In preparing the Phase I ESA, a visual inspection of the Court Facility was performed to detect any apparent hazardous conditions in, on, or about the Court Facility, and the historical uses of the real property were reviewed.

Historic records indicate an underground storage tank (UST) of unknown location was on site in 1970 and removed at an unknown date. Additionally, there was no physical observance of the UST. Further research did not discover any violations against the site.

Based on the findings of the Phase 1 ESA, the UST was concluded as a Recognized Environmental Condition (REC). If the subject property were to be redeveloped, observations should be made for evidence of the location of the UST.

Building Assessment—The Council conducted an initial site visit of the Court Facility in December 2006 to assess the general condition of the property. The Judicial Council took responsibility for the facility in June 2007, and has been responsible for the operations and maintenance since that date. Staff has since made numerous additional visits to the site to monitor the condition of the

court facility. The Council concludes that the court facility did not contain any apparent hazards to the health and safety of the occupants or property.

Seismic Safety Assessment—A seismic safety assessment was conducted in August 2003 and the building was determined to have a seismic safety rating of Level V as defined in the Risk Acceptability Table of the State Building Seismic Program developed by the Division of the State Architect. The building is transferring to the state pursuant to the provisions of Government Code Section 70324 (SB10), which provides that the county shall be responsible for any seismic related damage and injury; and, the county shall indemnify, defend, and hold the state harmless from those claims.

Other

- Pursuant to terms of the Transfer Agreement, effective as of the County Vacation Date, the county relinquishes to the AOC forever, the county parking, provided however, that in the event the county exercises its right of return, the county's right to use the county parking shall be restored for the duration of the county's re-occupancy of the County Exclusive Use Area. Common parking includes a total of 63 parking spaces shared jointly by the Court and the County. The county parking consists of two reserved parking spaces.
- The Council is not aware of any lawsuits pending concerning the property.
- There is no relocation assistance, historic issues, or implied dedication associated with this transfer of title.

Staff Recommendation: **Authorize the acceptance of real property through a transfer of title.**

CONSENT ITEM

CONSENT ITEM—2

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES (0690)
RELOCATION OF RED MOUNTAIN COMMUNICATIONS SITE
DEL NORTE COUNTY**

*Authority: Chapter 25, Statutes of 2014, Item 0690-301-0001(1)
Chapters 10 and 11, Statutes of 2015, Item 0690-301-0001(1), as reappropriated
by the Budget Acts of 2016 and 2017, and partially reverted by the Budget
Act of 2016
Chapters 14, 22, and 54, Statutes of 2017, Items 0690-301-0001(1)*

Consider recognizing a scope change

CONSENT ITEM

STAFF ANALYSIS ITEM—2

Governor's Office Of Emergency Services
Relocation of Red Mountain Communications Site
Del Norte County

Action Requested

If approved, the requested action would recognize a scope change.

Scope Description

This project not within scope. The Relocation of Red Mountain Communications Site project was authorized by the Budget Act of 2014 for the development of alternative communications sites to replace the existing Red Mountain communications site, which provides public safety radio communications coverage to the northwestern region of the state. The existing Red Mountain communications site will be vacated by December 31, 2022, as required by the Six Rivers National Forest Plan. As approved, the project includes the construction of communication towers and vaults at the following sites: (1) Alder Camp, (2) Rattlesnake Mountain, and (3) Rodgers Peak. Of these sites, Alder Camp is state owned, Rattlesnake Mountain is owned by Green Mountain Lumber, and Rodgers Peak is owned by National Park Service.

On August 16, 2017, the National Park Service notified the Office of Emergency Services (Cal OES) of their intent to deny a permit, which would have allowed the use of Rodgers Peak land for a radio communication site, citing construction as a modern intrusion on national park land. Therefore, an alternative site is needed to replace the proposed tower at Rodgers Peak to achieve the mission critical radio coverage in the region. The project team has identified a new site, Big Lagoon, as the most effective alternative for the Rodgers Peak site. The Big Lagoon site is located on private land owned by Green Diamond Resource Company and will not require approval by the National Park Service. Therefore, a project scope change is requested by Cal OES to replace the Rodgers Peak site with the Big Lagoon site. Cal OES indicates that this change will result in a delay to the preliminary plans phase; however, overall project costs are not expected to change.

On November 22, 2017, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations committees of its intent to approve the scope change and recommend that the State Public Works Board recognize this revised scope no sooner than 20 days from that date.

Funding and Cost Verification

This project is within cost. The Budget Act of 2014 appropriated \$2,683,000 General Fund for preliminary plans, the Budget Act of 2015 appropriated \$1,261,000 for working drawings, and the Budget Act of 2017 appropriated a shift of \$1,856,000 General Fund from the construction phase of the project to the working drawings phase, to allow for the purchase and configuration of long lead tower equipment to provide for timely installation and completion of the connectivity between the existing towers and new towers. Total project costs are \$19,999,000 (\$2,683,000 for preliminary plans, \$3,117,000 for working drawings, and \$14,199,000 for construction).

\$19,999,000 Total authorized project costs

\$19,999,000 Total estimated project costs

\$5,800,000 Project costs previously allocated: \$2,683,000 preliminary plans and \$3,117,000 working drawings

\$14,199,000 Project costs to be allocated: \$14,199,000 for construction (\$10,271,000 contract, \$514,000 contingency, \$1,068,000 A&E, \$660,000 agency retained and \$1,686,000 other costs).

CEQA

A Notice of Determination will be filed with the State Clearinghouse prior to the completion of the preliminary plans phase.

Real Estate Due Diligence

A Summary of Conditions Letter for this project will be completed prior to the completion of the preliminary plans phase.

Project Schedule

Approve preliminary plans	February 2018
Complete working drawings	August 2018
Start construction	October 2018
Complete construction	April 2021

Staff Recommendation: Recognize a scope change.

CONSENT ITEM

CONSENT ITEM—3

**CALIFORNIA TAHOE CONSERVANCY (3125)
UPPER TRUCKEE MARSH RESTORATION PROJECT
EL DORADO COUNTY**

*Authority: Chapter 20, Statutes of 2013, Item 3125-301-0262 (1)
Chapter 25, Statutes of 2014, Item 3125-301-0262 (1)
Chapters 10 and 11, Statutes of 2015, Item 3125-301-0568 (1)
Chapter 23, Statutes of 2016, Item 3125-301-6031 (1)
Chapters 14, 22, and 54 Statutes of 2017, Items 3125-301-0890 (1),
3125-301-6031(1), 3125-301-6051(1), 3125-801-0262 (1)*

Consider approving preliminary plans

CONSENT ITEM

STAFF ANALYSIS ITEM—3

California Tahoe Conservancy
Upper Truckee Marsh Restoration Project
El Dorado County

Action requested

If approved, the requested action will approve preliminary plans.

Scope Description

This project is within scope. The project is an ecosystem restoration project at the confluence of Lake Tahoe with the Upper Truckee River and Trout Creek in the Upper Truckee Marsh. Project design elements include pilot channels and associated water control features, bulkhead at the Sailing Lagoon, grading of the dune/interdune/Sailing Lagoon area and associated trail construction, grading of Lily Lagoon and associated trail construction, bio-technical flow resistance and grade control structures for Trout Creek, revegetation of the features above, and construction access and staging area development and maintenance.

Funding and Project Cost Verification

The project is within cost. Budget Act of 2013, Item 3125-301-0262 (1) Budget Act of 2014, Item 3125-301-0262 (1), Budget Act of 2015, Item 3125-301-0568 (1), and Budget Act of 2016, Item 3125-301-6031 (1) appropriated \$3,413,090 for the study and preliminary plans phase of this project. Budget Act of 2017, Items 3125-301-0890 (1), 3125-301-6031(1), 3125-301-6051(1), and 3125-801-0262 (1) appropriated \$1,300,000 for the working drawings phase of this project.

\$13,762,090 Total authorized project costs.
\$13,762,090 Total estimated project costs.
\$3,413,090 Costs previously allocated: \$2,495,000 study and \$917,900 preliminary plans.
\$10,349,000 Costs to be allocated: \$1,300,000 working drawings and \$9,049,000 construction (\$7,190,000 contract, \$360,000 contingency, \$492,000 A&E, \$250,000 agency retained and \$757,000 other project costs.)

CEQA

A Notice of Determination was filed with the State Clearing House on December 18, 2015, and the 30-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed on December 11, 2017. There are a few unresolved issues that will be taken care of before the start of construction which will ensure the state has beneficial use and quiet enjoyment of the property. Specifically, Tahoe Conservancy will need to secure the receipt of, and record, various quitclaim deeds noted in the due diligence letter.

Project Schedule

Approve preliminary plans:	January 2018
Approve working drawings:	December 2018
Start construction	May 2019
Complete construction:	October 2020

Staff Recommendation: Approve preliminary plans.

CONSENT ITEM

CONSENT ITEM—4

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
POTRERO FIRE STATION – REPLACEMENT FACILITY
SAN DIEGO COUNTY

Authority: Chapter 23, Statutes of 2016, item 3540-301-0001(1)

Consider authorizing:

a) Acquisition

b) Execution of a Property Acquisition Agreement and other such documents as may be required to complete the acquisition.

CONSENT ITEM

STAFF ANALYSIS ITEM—4

Department of Forestry and Fire Protection
Potrero Fire Station Replacement Facility
San Diego County

Action Requested

If approved, the request would authorize acquisition and the execution of a Property Acquisition Agreement and other such documents as may be required to complete the acquisition

Scope Description

This project is within scope. This request will authorize acquisition of approximately six (6) acres of land in the City of Potrero, County of San Diego (the "Property"), consistent with the 2014 Facility Program Policy Guidelines for fire stations.

The Property will be used for the replacement, design and construction of a 2-engine fire station, consisting of a 14-bed barrack/mess hall, 3-bay apparatus building, and a generator pump storage building with generator. The project will also include a fuel dispensing system and fuel vault, vehicle wash rack, hose wash rack and flammable storage building. Site work will include clearing, grading, drainage, paving, walkways, curbs, well drilling and domestic water system with tank storage, septic system, electrical, telephone, irrigation, lighting, fencing, landscaping and all utilities.

Funding and Cost Verification

This project is within cost. Chapter 23, Statutes of 2016, item 3540-301-0001(1) provides \$400,000 for acquisition of a site for this project.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on September 20, 2017, and the 35-day statute of limitations expired without challenge.

Condition of Property

On March 29, 2017, Department of General Services staff visited the proposed acquisition site to assess the general condition of the Property. The Property is a portion of a larger 40 plus acre parcel of undeveloped land, and is located near the corner of Round Potrero Road and Potrero Valley Road, being a portion of San Diego County Assessor's Parcel Number 653-100-21-00.

The Property is relatively flat with a few trees that are currently being used for agricultural grazing. Vegetation on the parcel consists of a few oak trees and grasses. There is some PVC piping both vertical and horizontal located within the grazing area.

Phase I Environmental Site Assessment (ESA) Summary

A Phase I ESA was conducted in September 2017. The ESA encountered no evidence of past or present land uses that may have generated or caused the release of hazardous material of a potential for vapor intrusion and identified no RECs, as defined in ASTM Standard E1527-13. The previously identified PVC piping appears consistent with watering of domestic farm animals within the larger parcel.

Project Schedule

The anticipated close of escrow is March 2018.

Other:

- The property is currently encumbered by rights in favor of the County of San Diego for road right of way and incidental purposes for drainage and embankment slopes as granted in an Agreement for Right of Way, recorded in Book 824, Page 275 on August 27, 1920; and, an Easement for County Highway, recorded August 24, 1971, as Document 71-190270, San Diego County Official Records. The County has delivered executed quitclaim deeds severing all right title and interest to the Property. The deeds will record simultaneously in escrow with the State's grant deed to the Property.
- The Board approved site selection for the Property on May 12, 2017.
- The purchase price of \$75,000 does not exceed the estimated fair market value of the Property as determined by a DGS-approved appraisal.
- The proposed site meets the physical and location requirements of CalFire.
- The site is vacant and unimproved.
- The proposed facility will require a new septic system and well.
- There are no historic issues and no implied dedication associated with this property.
- There is no relocation assistance involved with this project.
- Neither CalFire nor DGS is aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages or liens.
- The proposed acquisition is consistent with the State's planning priorities in accordance with Section 65041 et. seq., of the Government Code.

Staff Recommendation: **Authorize acquisition and the execution of a Property Acquisition Agreement and other such documents as may be required to complete the acquisition.**

CONSENT ITEM

CONSENT ITEM—5

DEPARTMENT OF PARKS AND RECREATION (3790)
MALIBU CREEK STATE PARK: NEW STOKES CREEK BRIDGE
LOS ANGELES COUNTY

Authority: Chapters 10 and 11, Statutes of 2015, Item 3790-301-6051 (5)
Chapter 23, Statutes of 2016, Item 3790-301-6051 (3)

Consider approving an augmentation

\$60,000

(12.9 percent total appropriations)
(12.9 percent of cumulative)

CONSENT ITEM

STAFF ANALYSIS ITEM—5

Department of Parks and Recreation
Malibu Creek State Park: New Stokes Creek Bridge
Los Angeles County

Action Requested

If approved, the requested action will approve an augmentation.

Scope Description

This project is within scope. This project will replace an existing, undersized arch culvert with a bridge to restore a secondary escape route for park visitors in the event of fire or other emergencies and provide a dedicated service entrance for park staff to access the district office, thereby eliminating the need to travel through the campground.

Funding and Cost Verification

This project is not within cost. A total of \$465,000 has been appropriated from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 for preliminary plans and working drawings phases of this project. Total project costs were estimated to be \$2.1 million at the time this project was initiated in 2015.

This augmentation is required because the original estimates did not include costs related to obtaining a coastal development permit required by the Santa Monica Mountains Local Coastal Program, in accordance with the California Coastal Act. The permit is required because the project is in an area categorized as a habitat with the highest biological significance, rarity, and sensitivity.

Conditions of the permit will require additional oak tree and oak woodland mitigation and long-term monitoring that will drive additional costs of \$375,000 for working drawings (included in the 2018-19 Governor's Budget), and \$2.1 million for construction (to be proposed in a future Budget), for a revised total project cost of \$4.6 million. Parks indicates that the additional funds needed for construction will be sought from grant funds anticipated to be available for projects in sensitive habitat areas.

On December 21, 2017, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations committees of its intent to

approve the augmentation and recommend that the State Public Works Board approve this augmentation no sooner than 20 days from that date.

\$465,000 Total authorized project costs

\$4,556,000 Total estimated project costs

\$232,000 Project costs previously allocated: preliminary plans

\$1,849,000 Project costs to be allocated: working drawings \$233,000, construction \$1,616,000 (\$1,301,000 contract, \$91,000 contingency, \$124,000 A&E costs, \$42,000 other project costs, and \$58,000 agency retained)

\$60,000 Requested augmentation: preliminary plans

\$2,415,000 Future funding: working drawings \$375,000, construction \$2,040,000 (\$1,631,000 contract, \$114,000 contingency, \$31,000 A&E costs, \$117,000 other project costs, and \$147,000 agency retained)

CEQA

Environmental review is currently in progress and filing with the State Clearinghouse is anticipated in May 2018.

Real Estate Due Diligence

The due diligence review is currently underway and will be completed prior to requesting preliminary plans approval.

Project Schedule

Approve preliminary plans	July 2018
Complete working drawings	July 2019
Start construction	October 2019
Complete construction	July 2021

Staff Recommendation: Approve an augmentation.

CONSENT ITEM

CONSENT ITEM—6

BOARD OF STATE AND COMMUNITY CORRECTIONS (5227)
ADULT LOCAL CRIMINAL JUSTICE FACILITIES PROJECT
MERCED COUNTY

Authority: Sections 15820.93 – 15820.936 of the Government Code

Consider recognizing a scope change

CONSENT ITEM

STAFF ANALYSIS ITEM—6

Board of State and Community Corrections
Adult Local Criminal Justice Facilities Project
Merced County

Action Requested

If approved, the requested action would recognize a scope change.

Scope Description

Project is not within scope. As established by the Board, the original scope of work included four new buildings: a new health care building with 30 medical/mental health beds and associated clinic areas, a new standalone program and services building, a new kitchen and laundry facility, and a new county intake/release and administration building. Additionally, renovation of the existing dorms is also included and a sallyport will be constructed. The existing parking lot will be reconfigured into public and secure employee parking.

The Board of State and Community Corrections (BSCC) on behalf of the county, is requesting a scope change to increase the intake/release and administration building area, primarily to include visitation space adequate to meet or exceed title 15 standards. This includes contact visitation space.

Renovation of the existing dormitory units on site will be to harden the construction and upgrade the toilet and shower areas to allow the housing of higher classification inmates. Additionally, outdoor recreation yards will be constructed with direct access from the dormitories. This project will also install upgraded on-site utility systems including, but not limited to, water; septic sewer; electrical; plumbing; mechanical; heating, ventilation and air conditioning; telecommunications; security; fire protection; and storm water systems. The project will include seismic upgrades to existing buildings and install site secure perimeter fencing.

On November 22, 2017, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations Committees of its intent to approve this scope change and to recommend the Board recognize the scope change no sooner than 20 days from that date.

Funding and Project Cost Verification

This project is within cost. Section 15820.932 of the Government Code appropriates \$500,000,000 lease revenue bond financing authority to partially finance the design and construction of adult local criminal justice facilities. The BSCC administered the initial allocation of this funding to individual counties through a competitive public process. On April 19, 2017, the Board established the scope, cost and schedule of this project, allocating \$ 40,000,000 of the \$500,000,000 lease revenue bond financing authority to partially finance the design and construction of an adult criminal justice facility in Merced County. All acquisition/study and any design and construction costs in addition to this award amount will be paid by the county.

The total estimated project cost is \$44,446,000. While the cost is estimated to increase by \$1,200,000 for the administration and visitor building, the county also anticipates cost savings of \$1,250,000, resulting in a net \$50,000 savings for the administration and visitation building. The total estimated project savings is \$1,298,000 (the state's anticipated savings totals \$1,166,000 and the county's anticipated savings totals \$132,000) due to a reduction in the centralized programming building and laundry facility. While these changes could result in a cost decrease to the project, the actual change in funding will not be known until construction bids are received and analyzed. In no case would the award of the bid result in the state expending more than the \$40,000,000 award.

\$44,446,000	Total authorized project cost
\$43,148,000	Total estimated project cost
\$40,000,000	State costs previously allocated: \$1,086,000 performance criteria and \$38,914,000 construction (\$32,825,000 contract, \$3,553,000 contingency, \$248,000 Agency Retained, and \$2,288,000 other project costs).
\$1,166,000	State costs anticipated savings: decrease of \$1,166,000 contingency
\$4,446,000	Local funds previously allocated: \$99,000 acquisition/study, \$779,000 performance criteria, and \$3,568,000 construction (\$2,712,000 contract, \$23,000 A&E Costs, \$206,000 Agency Retained, and \$627,000 other project costs).
\$132,000	Local costs anticipated savings: decrease of \$132,000 construction (decrease of \$1,180,000 contract increase of \$1,048,000 contingency).

CEQA

A Notice of Determination (NOD) was filed with the State Clearinghouse on July 21, 2015, and the 30-day statute of limitations expired without challenge.

Due Diligence

Real estate due diligence for this project is currently under review and will be completed prior to seeking approval of performance criteria.

Project Schedule

Approve performance criteria	February 2018
Start design build	May 2018
Complete design build	November 2020

Staff Recommendation: **Recognize a scope change.**

CONSENT ITEM

CONSENT ITEM—7

CALIFORNIA COMMUNITY COLLEGES (6870)
REDWOODS COMMUNITY COLLEGE DISTRICT
COLLEGE OF THE REDWOODS
UTILITY INFRASTRUCTURE REPLACEMENT
HUMBOLDT COUNTY

*Authority: Chapter 25, Statutes of 2014, Item 6870-301-6049 (3)
Chapters 10 and 11, Statutes of 2015, Item 6870-301-6049 (3), as reappropriated
by the Budget Acts of the 2016 and 2017*

Consider recognizing a scope change

CONSENT ITEM

STAFF ANALYSIS ITEM—7

California Community Colleges
Redwoods Community College District
College of the Redwoods
Utility Infrastructure Replacement
Humboldt County

Action requested

If approved, the requested action would recognize a scope change.

Scope Description

This project is not within scope. The Utility Infrastructure Replacement (UIR) project scope includes replacement and/or upgrades to the following building systems campus-wide: Domestic and Fire Water, Sanitary Sewer, Waste Water Treatment Plant, Electrical, Natural Gas, Site lighting, Storm Drainage/On-Site Retention, Telecommunications/Life Safety, Fire Alarm, and Security and Data/Voice Communication.

This proposed scope change request would remove proposed utility improvements to the Student Union building. During a review of the geology and seismology aspects of the College of the Redwoods campus, the California Geological Survey determined that a liquefaction area extends under the western edge of the existing Student Union building, thereby resulting in a potential seismic hazard. Removing the Student Union building upgrades from the project allows the remainder of the project to proceed on schedule while a new Student Union building project to address both seismic and utility infrastructure needs is properly developed.

On December 18, 2017, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations Committees of its intent to approve a scope change for this project and to recommend the Board recognize the scope change no sooner than 20 days from that date.

Funding and Cost Verification

This project is within cost. The total authorized cost of the project is \$36,899,000 GO Bonds and \$437,000 local funds. The preliminary plans and working drawings phases were appropriated in the 2014 Budget Act, with construction funding provided in the 2015 Budget Act. In April 2017, the Public Works Board approved a \$341,000 augmentation, EO C16/17-23, and the district provided \$437,000 local funds to modify working drawings in order to move the water towers and add new water pumps required to ensure adequate water pressure for fire suppression. While the scope change lowers estimated costs by \$2,522,000, it is likely that construction costs for fire suppression requirements will match this amount.

\$ 37,336,000 total authorized project costs

\$ 37,336,000 total estimated project costs (\$36,899,000 state, \$437,000 local)

\$ 3,753,000 state funds previously allocated: \$2,465,000 preliminary plans, \$1,288,000 working drawings

\$ 33,146,000 state funds to be allocated: \$33,146,000 construction (\$29,018,000 contracts, \$1,867,000 contingency, and \$2,261,000 project administration)

\$ 437,000 local funds previously allocated: \$437,000 working drawings

CEQA

A Notice of Exemption was filed with the State Clearinghouse on February 4, 2015 and the 35-day statute of limitations period expired on March 10, 2015 without comment.

Real Estate Due Diligence

Community college districts have full responsibility for clearing due diligence issues for general obligation bond projects.

Project Schedule

Approve preliminary plans	May 2015
Complete working drawings	February 2018
Start construction	June 2018
Complete construction	March 2021

Staff Recommendation: Recognize a scope change.

ACTION ITEM

ACTION ITEM—1

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
VARIOUS COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15853 of the Government Code*

Consider authorizing site selection of two assessors parcels in full or in part.

High Speed Rail Authority Parcel Number	Assessor Parcel Number
Kings County	
FB-16-0776	028-206-015
Tulare County	
FB-54-0380	311-040-025

ACTION ITEM

STAFF ANALYSIS ITEM—1

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

If approved, the requested action would authorize site selection of two assessors parcels in full or in part.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting from Madera and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, construction of a bridge over the San Joaquin River, several grade separations, two viaducts and the acquisition of approximately 1,600 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Project Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1. In addition, Health and Safety Code section 39719 (b)(2) appropriates 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund for the Phase 1 Blended System and Health and Safety Code section 39719.1 authorizes repayment of a \$400 million General Fund loan from the Greenhouse Gas Reduction Fund for the Phase 1 Blended System. The IOS-1 is a component of the Phase 1 Blended System.

Background

To date, the Board has site-selected approximately 1,600 parcels comprising approximately 120 miles from Madera to near Bakersfield. This total does not reflect properties associated with right-of-way transfer agreements with local government.

The Kings County parcel is needed for the western end of the Kansas Avenue grade separation and the Tulare County parcel is needed for Pacific Gas and Electric utility relocations along Highway 43, approximately ½ mile south of Avenue 84.

For these properties, the CEQA and NEPA processes were completed in 2014. Consistent with corridor based projects, minimal real estate due diligence has occurred to date as the alignment determines which properties must be acquired and any abatement or title issues will be resolved during or shortly after acquisition.

Staff Recommendation: Authorize site selection of two assessors parcels in full or in part.

ACTION ITEM

ACTION ITEM—2

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
VARIOUS COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider the adoption of three amended Resolutions of Necessity authorizing the use of eminent domain to acquire the following properties:

- 1) PRG Farms Property (Fresno County),
RON 2014-0310
Authority Parcel Numbers: FB-10-0459-1, FB-10-0459-2, FB-10-0887-1, FB-10-1291-1,
FB-10-1291-2, and FB-10-1291-3
Assessor Parcel Numbers: 056-030-10s**
- 2) Tri West Investments Property (Kings County)
RON 2017-0059
Authority Parcel Numbers: FB-16-0470-1, FB-16-0470-2, FB-16-0470-3, FB-16-0470 -4
and FB-16-0470-5
Assessor Parcel Number: 016-130-055**
- 3) EBC Farms, LLC Property (Kings County)
RON 2015-0033
Authority Parcel Numbers: FB-16-0119-1, FB-16-0440-1, FB-16-0440-2, FB-16-0440-3,
FB-16-0440-4, FB-16-0440-5, FB-16-0441-1, FB-16-0441-2, FB-16-0441-3,
FB-16-0441-4, FB-16-0441-5, FB-16-0441-6, and FB-16-0441-7
Assessor Parcel Number: 014-260-078**

ACTION ITEM

STAFF ANALYSIS ITEM—2

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

If approved, the requested action would adopt three amended Resolutions of Necessity (RONs) authorizing the use of eminent domain to acquire properties.

PRG Farms Property: On November 18, 2015, the Board adopted RON 2014-0310, authorizing the use of eminent domain to acquire the PRG Farms property in Fresno County. Since then, there has been a design change that increased the fee acquisition area and adjusted several easements. The amended RON would incorporate the design change.

Tri West Investments Property: On November 13, 2017, the Board adopted RON 2017-0059, authorizing the use of eminent domain to acquire the Tri West Investments property in Kings County. That RON had an error in describing Code of Civil Procedure Section 1240.610, which necessitates adoption of an amended RON.

EBC Farms, LLC Property: On April 10, 2015, the Board adopted RON 2015-0033, authorizing the use of eminent domain to acquire the EBC Farms, LLC property in Kings County. Since then, there has been a design change that increased the fee acquisition area and adjusted several easements. The amended RON would incorporate the design change.

On December 22, 2017, Notices of Intent to adopt an amended Resolution of Necessity were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Staff Recommendation: Adopt three amended Resolutions of Necessity authorizing the use of eminent domain to acquire properties.

ACTION ITEM

ACTION ITEM—3

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
VARIOUS COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider the adoption of eight Resolutions of Necessity authorizing the use of eminent domain to acquire the following properties:

- 1. Diepersloot Property (Fresno County)**
Authority Parcel Numbers: FB-10-0466-1, FB-10-0466-2, FB-10-0466-3, FB-10-0466-4, and FB-10-0466-5
Assessor Parcel Number: 056-020-08S
- 2. Kang Property (Fresno County)**
Authority Parcel Number: FB-10-1297-1
Assessor Parcel Number: 330-211-36 (previously designated as 330-211-07)
- 3. Dias Property (Kings County)**
Authority Parcel Numbers: FB-16-0422-1 and FB-16-0422-3
Assessor Parcel Numbers: 014-130-089, 014-130-092, and 014-130-093
- 4. Kootstra Property (Kings County)**
Authority Parcel Numbers: FB-16-0437-1 and FB-16-0437-2
Assessor Parcel Number: 002-120-094 (formerly designated as 002-120-040)
- 5. Pinnacle Pointe, LLC Property (Kings County)**
Authority Parcel Number: FB-16-0402-1
Assessor Parcel Number: 014-251-042
- 6. Coelho Property (Kings County)**
Authority Parcel Numbers: FB-16-0146-1, FB-16-0146-2, FB-16-0420-1, FB-16-0420-2, FB-16-0420-3, FB-16-0420-4, FB-16-0468-1, and FB-16-0468-2
Assessor Parcel Numbers: 016-070-036 and 016-070-038
- 7. Howe Property (Kings County)**
Authority Parcel Numbers: FB-16-0467-1, FB-16-0477-1, FB-16-0479-1, FB-16-0479-2 and FB-16-0481-1
Assessor Parcel Numbers: 014-130-085, 014-130-086, 014-130-087, and 014-130-088
- 8. Mello Property (Kings County)**
Authority Parcel Numbers: FB-16-0473-1, FB-16-0473-2 and FB-16-0473-3
Assessor Parcel Numbers: 016-130-047 and 016-130-048

ACTION ITEM

STAFF ANALYSIS ITEM—3

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

Adopt seven Resolutions of Necessity authorizing the use of eminent domain to acquire properties one, two and four through eight totaling approximately 33.3 acres.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting from Madera and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno and relocation of railroad lines, the construction of bridges over the San Joaquin and Fresno Rivers as well as other waterways, several dozen grade separations, multiple viaducts and trenches, and the acquisition of approximately 1,600 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1. In addition, Health and Safety Code section 39719 (b)(2) appropriates 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund for the Phase 1 Blended System and Health and Safety Code section 39719.1 authorizes repayment of a \$400 million General Fund loan from the Greenhouse Gas Reduction Fund for the Phase 1 Blended System. The IOS-1 is a component of the Phase 1 Blended System.

Background

In order to adopt a Resolution of Necessity that is required to initiate the eminent domain proceedings, the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record.

In 2008 the voters of California approved Proposition 1a, authorizing monies from the High-Speed Passenger Train Bond fund in support of this Project. In 2009 and 2010 the federal government approved funds in support of the portion of this Project extending from San Francisco to Anaheim, and in 2012 and 2014, through Chapter 152, Statutes of 2012 and Chapter 25, Statutes of 2014, the Legislature appropriated funds for the acquisition and design-build phases of the IOS-1 of the Project, extending from Madera to just north of Bakersfield.

The Property Acquisition Law, commencing with section 15850 of the Government Code, authorizes the Board to select and acquire in the name of the State of California (State) with the consent of the State agency concerned, the fee or any lesser right or interest in any real property

necessary for any State purpose or function. This law also authorizes the Board to acquire property by condemnation, in the manner provided for in Title 7 (commencing at section 1230.010) of Part 3 of the Code of Civil Procedure.

Each of the properties is within the right of way for IOS-1 and was site selected at previous Board meetings. The site selections took place after an environmental review process where it was determined that any alternative alignment would include the selected parcels, or where a preferred alignment had already been approved by both the High Speed Rail Authority Board and the Federal Railroad Administration. Acquisition of these properties will allow the High Speed Rail Authority to move forward with construction of the HSTS.

Between May 2017 and October 2017, the various owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. Negotiations to acquire the properties are continuing; however, in order to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required.

On December 22, 2017, Notices of Intent to adopt a Resolution of Necessity were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Diepersloot Property (Fresno County)

Authority Parcel Numbers: FB-10-0466-1, FB-10-0466-2, FB-10-0466-3, FB-10-0466-4, and FB-10-0466-5

Assessor Parcel Number: 056-020-08S

Partial Acquisition: Approximately 20.31 acres in fee

This property will be needed for the construction of the HSTS between East Elkhorn Avenue and South Fowler Avenue and for construction of the East Elkhorn Avenue and South Fowler Avenue grade separations.

2. Kang Property (Fresno County)

Authority Parcel Number: FB-10-1297-1

Assessor Parcel Number: 330-211-36 (previously designated as 330-211-07)

Partial Acquisition: Approximately 0.15 acre in fee

This property will be needed for parking at the Train Control Facility adjacent to the HSTS, approximately ¼ mile south of East Malaga Avenue.

3. Dias Property (Kings County)

Authority Parcel Numbers: FB-16-0422-1 and FB-16-0422-3

Assessor Parcel Numbers: 014-130-089, 014-130-092, and 014-130-093

Property Pulled

4. Kootstra Property (Kings County)

Authority Parcel Numbers: FB-16-0437-1 and FB-16-0437-2

Assessor Parcel Number: 002-120-094 (formerly designated as 002-120-040)

Partial Acquisition: Approximately 0.66 acre total (0.49 acre in fee and 0.17 acre in easement)

This property will be needed for the construction of the HSTS between Dutch John Cut and Cairo Avenue.

5. Pinnacle Pointe, LLC Property (Kings County)
Authority Parcel Number: FB-16-0402-1
Assessor Parcel Number: 014-251-042
Partial Acquisition: Approximately 0.28 acre in fee

This property will be needed for the construction for the grade separation elevating Highway 43 over the San Joaquin Valley Railroad just north of Lacey Boulevard.

6. Coelho Property (Kings County)
Authority Parcel Numbers: FB-16-0146-1, FB-16-0146-2, FB-16-0420-1, FB-16-0420-2, FB-16-0420-3, FB-16-0420-4, FB-16-0468-1, and FB-16-0468-2
Assessor Parcel Numbers: 016-070-036 and 016-070-038
Partial Acquisition: Approximately 7.08 acres total (5.16 acres in fee and 1.92 acres in easement)

This property will be needed to construct the HSTS between State Route 198 and Hanford-Armona Road and for improvements along State Route 198.

7. Howe Property (Kings County)
Authority Parcel Numbers: FB-16-0467-1, FB-16-0477-1, FB-16-0479-1, FB-16-0479-2 and FB-16-0481-1
Assessor Parcel Numbers: 014-130-085, 014-130-086, 014-130-087, and 014-130-088
Partial Acquisition: Approximately 4.10 acres in fee

This property will be needed for the construction of the HSTS just north of Grangeville Boulevard and for the Grangeville Boulevard grade separation.

8. Mello Property (Kings County)
Authority Parcel Numbers: FB-16-0473-1, FB-16-0473-2 and FB-16-0473-3
Assessor Parcel Numbers: 016-130-047 and 016-130-048
Partial Acquisition: Approximately 0.72 acre total (0.05 acre in fee and 0.67 acre in easement)

This property will be needed for the construction of a grade separation at Hanford-Armona Road.

Staff Recommendation: **Adopt seven Resolutions of Necessity authorizing the use of eminent domain to acquire properties one, two and four through eight totaling approximately 33.3 acres.**

OTHER BUSINESS

NONE

REPORTABLES

TO BE PRESENTED AT MEETING